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## Section 14

# Uintah Basin Plan

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Utah State Water Plan

## Fisheries and Water-Related Wildlife

Wildlife habitats vary from the alpine environments of the High Uintas to the desert setting of southern Uintah and Duchesne counties. These habitats support an equally diverse population of fish and wildlife species whose needs must be considered with those of humans who share the resources.

### 14.1 Introduction

This section describes the fisheries and other water-related wildlife currently found in the basin. It also identifies associated problems and presents alternatives to improve these resources. The Division of Wildlife Resources has responsibility for managing, protecting, propagating and conserving the state's wildlife. Some federal agencies have limited authority for wildlife management on lands they administer. The Fish and Wildlife Service has authority to conserve and protect endangered and threatened species on federal and private lands.

### 14.2 Setting

This basin has unique ecosystems supporting a diversity of species. The focal point for most of the wildlife habitat is the Duchesne and Green River drainages. Stewart Lake State Waterfowl Management Area and Ouray National Waterfowl Refuge are nearby. Fish hatcheries are located at Ouray National Waterfowl Refuge, Jones Hole and near Whiterocks.

The primary waterway is the Green River with the Duchesne River, Ashley Creek, Brush Creek, Sheep Creek, Henrys Fork and White River as tributaries. Most of the major drainages support good quality riparian and fish habitats. Some are also affected by reservoirs, irrigation diversions and highways. Irrigation withdrawals reduced each stream's value as a fishery, such as Ashley Creek and the Duchesne River. The Green River below



Green River

Flaming Gorge Reservoir has some of the best trout fishing in the state. Excellent fishing also occurs in the high mountain lakes and tributaries of the Uinta Mountains.

#### **14.2.1 Fish and Wildlife Species**

An estimated 85 species of mammals, 23 species of reptiles, eight species of amphibians, 268 species of birds and 50 species of fish are found in the basin. Nearly all require constant access to water. Species of fish are categorized as warm or cold water and game or non-game.

Bird species can be categorized into three groups: upland game birds, waterfowl and non-game birds. Several naturally occurring species of hunted game animals are also found. Of special interest are those species designated as threatened and endangered. Each of these species has been judged to be in danger of extinction throughout all or a significant part of its range. Threatened and endangered species are protected by federal and state statutes. The Endangered Species Act (ESA) strictly prohibits any person from taking any federally listed member of a threatened or endangered species. Taking also means to destroy or sufficiently change the habitat of a listed species.

The ESA does not apply directly to non-federal water-related activities that do not require federal permits. Owners and operators of non-federal projects are not affected as long as the normal and ongoing operations do not result in the taking of one of these species.

The criteria for threatened and endangered status and category designations are explained in Sub-section 16.3.8 of the ESA. Fish and wildlife species classified as candidates for official listing are shown in Table 16-1 of this basin plan.

In the event federal permits are required to develop a water source or make revisions to existing ones, the Fish and Wildlife Service (FWS) will review the project. The scope and overall intent of the proposed project or change will be assessed to decide the effect on fish and wildlife in the immediate area. Endangered plants are treated differently than endangered animal species on private property. Threats to these plant species will not stop development activities in an area where federal permits are not required.

#### **14.2.2 Fisheries**

The Uintah Basin has two full-time federal fish hatcheries at Jones Hole and Ouray and a state hatchery at Whiterocks. Whiterocks Hatchery is run by the Division of Wildlife Resources. Several Class I and II fisheries for cold water, cool water and warm water fisheries can be found in the Uintah Basin. Cold water fish include most species of trout. Cool water fisheries include walleye and smallmouth bass. Warm water fish include sucker, walleye, perch, bass, crappie, blue gill, northern pike, catfish, carp and Utah chub. Endangered species such as the Colorado pikeminnow (formerly Colorado squawfish), razorback sucker, humpback chub and the bonytail chub are found in the basin. The endangered Colorado pikeminnow and humpback chub are hatched at the Ouray Hatchery for reintroduction into the Green River.

Table 14-1 lists the warm and cold water sport fish and identifies reaches of streams, rivers and reservoirs where each is found.

#### **14.2.3 Wildlife Habitat**

Habitats are the most important factor in maintaining healthy and substantial populations of fish and wildlife. Overall, habitats are influenced by the condition of the ecological system and the level and type of human activities. Water storage facilities have created habitat for nonnative species and sportfishing opportunities; however, stream habitat for native and nonnative species has been lost and degraded due to dams and reservoirs. The continued population growth and demand for water and land are in direct conflict with the needs of some species.

Title 73-3-3 of the *Utah Code Annotated* allows the Division of Wildlife Resources to file for minimum instream flow water rights for the preservation of fish species. This legislation allows the division to file requests for permanent changes in the operation of certain streams and rivers to preserve critical fish habitats and to provide permanent enhancement of the state's stream and river fisheries. Section 5 discusses instream flows and shows pre- and post-Central Utah Project requirements for this basin.

**Table 14-1**  
**Sport Fishery Streams, Reservoirs and Lakes**

Species	SR	CC	STR	Star	BS	Ste	RF	FG	GR	DR	AC	BC	WR	SC	PC	ML	UR	YR	W	SRR	CLR	CRC	LFR	PL
Rainbow Trout	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Cutthroat Trout	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	
Brown Trout				✓	✓	✓	✓		✓	✓	✓	✓					✓	✓	✓	✓	✓	✓	✓	
Brook Trout		✓	✓						✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	
Kokanee Salmon	✓							✓							✓									
Mtn. Whitefish			✓	✓	✓				✓	✓						✓								
Channel Catfish								✓	✓	✓	✓	✓					✓							✓
Black Bullhead										✓														✓
Splake																✓								✓
Largemouth Bass						✓	✓																	
Smallmouth Bass			✓	✓	✓	✓	✓	✓	✓	✓	✓						✓							✓
Bluegill						✓	✓		✓	✓							✓							✓
Black Crappie									✓	✓		✓												
Northern Pike									✓	✓		✓												
Walleye				✓					✓	✓														
Lake Trout								✓																
SR - Strawberry Res.				Ste	-	Steinaker Res.			AC	-	Ashley Creek						ML	-	Moon Lake Res.	SRR	-	Strawberry Res.		
CC - Currant Cr. Res.			RF	-	RF	-	Red Fleet		BC	-	Brush Creek						UR	-	Uinta River	CCR	-	Currant Creek		
St R - Upper Stillwater Res.			FG	-	FG	-	Flaming Gorge		WR	-	White River						YR	-	Yellowstone River	CRC	-	Carter Creek		
Star - Starvation Res.			GR	-	GR	-	Green River		SC	-	Sheep Creek						W	-	Whiterocks	LFR	-	Lake Fork River		
BS - Big Sand Wash			DR	-	DR	-	Duchesne R.		PC	-	Pot Creek									PL	-	Pelican Lake		

### **14.3 Organizations and Regulations**

Local, county, state and federal agencies have a part in passing and enforcing laws to regulate management of water facilities that affect wildlife. Private organizations work with these public groups to protect fish and wildlife habitats.

#### **14.3.1 Local**

State agencies, cities, counties, irrigation companies and water districts control water facilities that affect fish and wildlife. The impact may be either direct or indirect. However, early irrigation rights holders are not required to leave water in streams during time of low flow. An example is Ashley Creek at the Thornberg Diversion. The Utah Divisions of Wildlife Resources and Parks and Recreation may purchase water from these irrigators to prevent diversions and allow instream flows that protect various fishes.

Under the Central Utah Project Completion Act, the Uintah Conservation and Duchesne Conservation districts are provided incentives to conserve water for instream flows. One purpose of the Water Conservation Credit Program of the CUPCA is to “prevent or eliminate unnecessary depletion of waters in order to assist in the improvement and maintenance of water quantity, quality and streamflow conditions necessary to augment water supplies and support fish, wildlife, recreation and other public benefits.”

#### **14.3.2 State**

The Division of Wildlife Resources has responsibility for the management, protection, propagation and conservation of the state’s wildlife resources. Much of the project planning currently being carried out by the Central Utah Water Conservancy District must be coordinated with the mission of the division. The division has responsibility to play a lead role in identifying impacts to fish and wildlife from water development projects.

#### **14.3.3 Federal**

The federal government influences fish and wildlife management through Department of the Interior agency policies and federal legislation. The

U.S. Fish and Wildlife Service (FWS) is charged with carrying out the Fish and Wildlife Coordination Act which was passed to provide wildlife conservation receiving equal consideration and coordination with other features of water resource development programs. In implementing this act, the FWS assists planners of water development projects receiving federal funding or requiring a federal permit in designing and operating projects so as to avoid or minimize adverse impacts to fish and wildlife. Where project impacts cannot be avoided, the FWS, in coordination with the Utah Division of Wildlife Resources, makes recommendations for appropriate mitigation and helps oversee implementation. The FWS is also charged with administering and regulating the Endangered Species Act. All federal agencies are charged with using their authorities to further the purposes of this act by carrying out programs for the conservation of threatened and endangered species.

The Bureau of Reclamation also works with state and local agencies to promote fish and wildlife activities at reservoirs constructed under reclamation law. The bureau develops facilities management plans for each project to promote sport fishing and optimize recreational opportunities. Potentially, the most important impact the federal government may have in the basin on fish and wildlife will be to fund environmental enhancement and mitigation projects of the Central Utah Project Completion Act.

### **14.4 Problems and Needs**

Six problems are apparently affecting fish and wildlife in this basin. They are minimum instream flows, watershed protection, stream channel erosion, wetland’s protection and enhancement, fisherman access, and water quality.

#### **14.4.1 Minimum Instream Flows**

Some streams cease flowing during drought years. Others such as Ashley Creek are substantially diverted for irrigation. These occurrences make it difficult to maintain a fishery.

The Instream Flow Agreement of 1980, as amended in 1990, provides 44,400 acre-feet of water made available by the Central Utah Project be released to maintain minimum flow conditions in streams for preventing unacceptable adverse impacts to fishery resources. These adverse impacts are caused by diversions to provide the water supply for the Central Utah Project. Minimum flows in Rock Creek, West Fork Duchesne River, Currant Creek and Strawberry River are provided to retain 50 percent of the historic adult trout habitat when the water is allowed to flow to the confluence of the Duchesne and Strawberry rivers. The CUPCA, Section 303(c)(5), requires a minimum instream flow of 15 cfs from Knight Diversion on the Duchesne River to the confluence of the Strawberry River as well as 15 cfs from Starvation Dam to the confluence of the Duchesne River. Section 505(d) provides for a minimum instream flow in Rock Creek of 29 cfs May through October and 23 cfs November through April at the Ute Indian Reservation boundary. The CUPCA, Section 303(a), also requires the minimum instream flows established pursuant to the Instream Flow Agreement. Instream flow for the 2-1/2 mile section of the Duchesne River above the confluence with the Green River is presently being analyzed for the protection of endangered fish species. Figure 5.4 in Section 5 of this basin plan shows minimum instream flows.

#### **14.4.2 Watershed Protection**

The Uinta Mountains and the desert south of the mountains are heavily used during the summer for recreation and grazing. Summer homes, ATV travel and livestock grazing along riparian corridors contribute to stream bank instability, reduce vegetation and increase the silt loading of streams. Also, elk and other wildlife destroy ditches, fences, irrigation systems and haystacks.

#### **14.4.3 Stream Channel Erosion**

High spring snowmelt causes erosion of the stream banks on Dry Fork, Ashley Creek and the Duchesne River. For example, the Dry Fork streambanks were highly eroded in 1997 with the breach of Mosby Canal and heavy snow melt. The canal failure resulted in an estimated 1-1/2 million cubic yards of debris being washed into the creek during the spring runoff. Other erosion is caused by cattle grazing on banks.

#### **14.4.4 Wetlands Protection**

Wetlands are threatened by urban growth and farming practices. Drainage from urban surfaces and farms threatens the quality and quantity of the water supplied to wetland resources.

#### **14.4.5 Fisherman Access**

Non-Indian access across Indian Lands is a major problem. Also, access to streams is limited across private lands. The U. S. Forest Service has blocked many old timber roads to Uinta Mountain lakes to protect wildlife and habitat.

#### **14.4.6 Water Quality**

Selenium in Ouray National Waterfowl Refuge, Stewart Lake, and the lower reaches of Ashley and Brush creeks has become a problem (see Section 12.4.2). There is also an anoxia problem at Pelican Lake.

#### **14.5 Alternative Solutions**

Title III of the Central Utah Project Completion Act calls for creation of the Utah Reclamation Mitigation and Conservation Commission. The commission's purpose is "to coordinate the implementation of the mitigation and conservation provisions the of CUPCA among the federal and state fish, wildlife and recreation agencies." Its duties are provided in Section 301 of the CUPCA. The commission's *Mitigation and Conservation Plan* was published in May 1997. It provides an overview of the planning process and explanations of its

programs, a budget and schedule for implementing projects and a monitoring program. The plan, updated yearly, was revised in May 1998.

Section 304 authorized completion of several fish and wildlife projects outlined in the *1988 Definite Plan Report* which have not been completed as of the date of enactment of the CUPCA. Section 305 directs the Utah Reclamation Mitigation and Conservation Commission to purchase big game winter rangelands to compensate for the impacts of federal reclamation projects in Utah. Big game crossings and wildlife escape ramps in large canals are also to be provided.

Water quality and fish and wildlife benefits could be realized if local sponsors (corporations, conservation organizations, cities, special service districts, Uintah, Duchesne and Daggett counties, state and federal agencies) could participate in joint ventures to enhance key wetlands in the Uintah Basin.

A state wetland protection plan is currently being prepared by the Governor's Office of Planning and Budget and natural resource agencies through the Resource Development Coordinating Committee working in conjunction with the Division of Wildlife Resources. High priority wetland areas throughout the state will be identified, and opportunities for protection and enhancement will be addressed. Ultimately, the value of wetlands and riparian land as discharge areas for flood events should be given greater consideration in flood control efforts at the city and county level. □